



IF 2154

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: :
Computer System Performance :
Monitoring Using Transaction :
Latency Data :
: :
Application No.: 09/896,854 :
: Group Art Unit: 2154
Filed: June 29, 2001 :
: Examiner: Haresh Patel
For: Deverill, et. al. :
: :
Attorney Docket No.:GOL101.10008 :

I, John F. Letchford, Registration No. 33,328, certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to the Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 14, 2005.



John F. Letchford

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE/STATEMENT OF SUBSTANCE

In response to the Office Action dated November 10, 2005, Applicant respectfully requests entry of the following statement of the substance of the telephonic interview conducted on November 1, 2005 into the above-identified application. The Examiner's Continuation of Substance of Interview including

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Reply to Office Action Dated: November 10, 2005

description of the general nature of what was agreed to if an agreement was reached, or any other comments is here-in reproduced below in its entirety. The Undersigned concurs with that description.

Mr. John Letchford called the examiner to discuss the subject matter of the "Conclusion" section of office action, dated 8/19/2005. Mr. John Letchford asked the examiner whether the amendment to the cliams (sic) including any of the suggested subject matter of the applicant's invention would make the claims 1, 6 and 9 patentable. Examiner clarified to the Mr. John Letchford that if the subject matter of the applicant's invention (as mentioned in the specification) is included to the cliams (sic) would likely expedite the procecution (sic) considering the broadly claimed subject matter of the claims 1, 6 and 9. The patentibility (sic) of the applicant is simply based on whether the claimed subject matter of the claims 1, 6, and 9 is indeed novel compared to available prior arts; regardless of whether the subject matter of the applicant's invention (as mentioned in the specification) is included in the claims 1, 6 and 9 or not. Mr. John Letchford agreed with the examiner.